

THE DRUG EVIL.

A distinct step in the matter of the prevention of the illegal distribution of morphine has been achieved by the State Board of Pharmacy in its campaign in the city of San Francisco. Inspector F. A. Sutherland, who has the matter in charge for this board, has been successful in having his evidence so well in hand before bringing the facts to the notice of the public prosecutors, that in nearly all of the cases presented to the court for judgment the defendants plead guilty.

The case of Dr. Jesse C. Anthony calls for special comment. The doctor, who had written prescriptions for shocking quantities of morphine, entered a plea of "not guilty" and stood for trial in the court of Police Judge Weller. The prosecution, conducted by Mr. O'Connor, with whom was associated Senator Cutten ably assisted by Dr. George Franklin Shiels, was able to introduce in evidence three prescriptions written by Dr. Anthony for a man about whom he knew nothing. This man testified that he, a total stranger to the doctor, entered his office and upon the simple statement that he was a morphine-fiend obtained a prescription for one dram of morphine—for two dollars and a half; and at a subsequent visit three weeks later he got—for the same price,—two prescriptions each for one ounce of the drug and one of them dated a month in advance. The doctor, before writing the first prescription, said that he had made a physical examination of his "patient" and that it was as complete as "was necessary under the circumstances." He "felt the pulse to get the tension on the arteries."

In his defense Dr. Anthony admitted having written the three prescriptions introduced; but claimed that they were written in good faith for a person to whom he stood in the relation of a physician ministering to his physical needs. His contention was that he had begun a preliminary course for the cure of the morphine-habit according to his "customary method."

The method employed by the doctor is simple and, as he testified under oath, efficacious. The patient is filled up with morphine—"the fuller the better" hence the prescriptions for somewhat more than the usual quantity of the drug—"so as to prepare him for the antidote when it is given." Any hint as to just what is the antidote was not brought out at the trial; but the cross-questioning of Mr. O'Connor brought to light the fact that the preliminary treatment was to continue until the "patient" should be able to raise one hundred dollars to pay for the complete cure.

The magistrate was unable to see that Doctor Anthony had written the prescriptions in good faith, particularly as he had given his "patient" no directions as to how much of the medicine he should take, or how often it should be exhibited, so he found him guilty as charged. A sentence of one hundred dollars fine was imposed, from which we understand Doctor Anthony will appeal.

Doctor Jesse C. Anthony, of the Eclectic school, had his license to practice medicine in the State of California revoked by the State Board of Medical Examiners on August 5, 1908, for advertising

"Soteria Medical Institute" in a manner "which is intended or has a tendency to deceive the public . . . and so be harmful . . . to public morals and safety." The advertisement purported to "cure consumption in any of its forms in 6 to 16 weeks. Syphilis or scrofula in any stage in 3 to 14 days . . . cancer without knife, plaster, powder or paste."

In 1910 Doctor Anthony applied to the State Board of Examiners for a rehearing in the matter of the revocation of his license. This hearing was held; but, so far as we can learn at the present writing, the complaining witness was not summoned. However, the license was restored to the doctor "under the belief that Dr. Anthony had been sufficiently punished," according to the minutes of this session of the Board (April 4, 1910).

It is of no small moment in this connection to refer to the opinion rendered to the State Board of Medical Examiners by their attorney in reference to the restoration of the license referred to above. This opinion conveys to the reader a very clear idea of the weakness of our laws governing the powers of the Board of Medical Examiners in the matter of revoking licenses of those deemed by them guilty of offenses demanding such revocation. The attorney states that it is his opinion that if a case of this sort were carried to the higher courts, the action of the board would not be upheld, due in large part to the loose wording of the statutes. This is a matter for the serious consideration of the Committee on Legislation of the State Medical Society.

THE OWEN BILL.

Sixty-second Congress, First Session—S. 1.

In the Senate of the United States, April 6, 1911, Mr. Owen introducing the following bill, which was read twice and referred to the Committee on Public Health and National Quarantine:

A bill to establish a Department of Health and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be at the seat of government an executive department known as the Department of Health, and a Director of Health, who shall be the head thereof; and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department. The Director of Health shall be appointed by the President, by and with the advice and consent of the Senate, at a salary of dollars per annum and with tenure of office like that of the heads of the other executive departments. And said Director shall cause a seal to be made for the Department of Health, of such device as the President approves, and judicial notice shall be taken of said seal.

Sec. 2. That there be in the Department of Health an assistant to the Director of Health, designated and known as the Commissioner of Health, who shall be a skilled sanitarian, appointed by the President, by and with the advice and consent of the Senate, who shall serve at the pleasure